

Court of Appeals, Division One

Special Action

1 CA-SA 24-0145

FLORIAN v. HON CUSHNER/HON POLK/DCS

Appellate Case Information

Case Filed: 10-Jul-2024

Case Closed:

Dept/Composition

Department B

Hon. Michael J Brown
Hon. D Steven Williams
Hon. Daniel J Kiley

Side 1. ASHLEY FLORIAN, Petitioner

(Litigant Group) ASHLEY FLORIAN

- Ashley Florian

PRO SE

Side 2. THE HONORABLE QUINTIN CUSHNER and THE HONORABLE JAY M. POLK, Judges of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,

Respondent Judges,

DEPARTMENT OF CHILD SAFETY,

Real Party in Interest., Respondent

(Litigant Group) HONORABLE QUINTIN CUSHNER

- Hon. Quintin H Cushner, Respondent Judge

(Litigant Group) HONORABLE JAY M. POLK

- Hon. Jay M Polk, Respondent Judge

(Litigant Group) DEPARTMENT OF CHILD SAFETY

- Department of Child Safety, Real Party in Interest

Attorneys for: Real Party in Interest

Dawn Rachelle Williams, Esq. (AZ Bar No. 20730)

CASE STATUS

Aug 29, 2024....Pending Closure

Table with 6 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Rows include MAR 2022-094852 and MAR JD39241.

DESCENDENT CASE (S)

ASC CV-24-0155-PR

OPEN DUE DATE

Stay Request (re: Writ of Certiorari) due

Due By: Friday, September 13, 2024

Re: FILED: ASC Order denying Petition for Review

CASE DECISION

11-Jul-2024 ORDER

* ORDERED: Request for Stay of Proceedings and Motion to Dismiss (Petitioner Pro Per) = JURISDICTION DECLINED. FURTHER ORDERED: Denying as moot Petitioner's request for a stay of proceedings. FURTHER ORDERED: Vacating this Court's previous order in its en

Filed: 11-Jul-2024 Mandate:

Decision Disposition

Jurisdiction Declined

Michael Brown.....Author

23 PROCEEDING ENTRIES

- 1. 10-Jul-2024 FILED: Request for Stay of Proceedings and Motion to Dismiss; Certificate of Service; My contact information- Ashley Joantina Florian Lopez; (Motion Re:) Order Setting Hearings on Dependency Petition and Temporary Orders (Petitioner Pro Per)

Court of Appeals, Division One

Special Action

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FLORIAN v. HON CUSHNER/HON POLK/DCS

23 PROCEEDING ENTRIES

2. 10-Jul-2024 FILED: Special Action Clerk Notice (Assigned to Dept B, Judges, Brown, Williams, Kiley)
3. 10-Jul-2024 FILED: Special Action Stay Hearing Scheduling Requirements
4. 10-Jul-2024 FILED: Request for Stay of Proceedings and Motion to Dismiss (Duplicate); Certificate of Service (Duplicate); Contact Information List; Copy of (Proposed) Order Setting Hearings on Dependency Petition and Temporary Orders (Petitioner Pro Per)
5. 11-Jul-2024 ORDERED: Request for Stay of Proceedings and Motion to Dismiss (Petitioner Pro Per) = JURISDICTION DECLINED. FURTHER ORDERED: Denying as moot Petitioner's request for a stay of proceedings. FURTHER ORDERED: Vacating this Court's previous order in its entirety including the obligation requiring the filing and service of a response to the petition. Hon Michael J Brown - Author
6. 13-Jul-2024 FILED: Notice of Related Cases in Special Action; (i.e Service - Exhibit A); Order Protection; Petition/Denied (Petitioner)
7. 13-Jul-2024 FILED: Motion For Reconsideration and Reinstatement of Special Action; Certificate of Compliance; Certificate of Service; State of Arizona Supreme Court Petition (Exhibit) (Petitioner Pro Per)
[Stricken per order filed 07/16/2024 - ma]
8. 15-Jul-2024 RECEIPT No.: 2024-00683 ; \$140.00, Authorization: #97015065455, Applied to: ASHLEY FLORIAN - Class A Filing Fee (\$0.00), Overpayment Class B (\$140.00) Paid for: ASHLEY FLORIAN - By nCourt LLC (Memo: Partial payment)
9. 16-Jul-2024 RECEIPT No.: 2024-00684 ; \$280.00, Authorization: 98006138202, Applied to: ASHLEY FLORIAN - Class A Filing Fee (\$280.00) Paid for: ASHLEY FLORIAN - By nCourt LLC
10. 16-Jul-2024 ORDERED: Motion For Reconsideration and Reinstatement of Special Action (Petitioner Pro Per) = STRIKING Petitioner's motion for reconsideration from the record. Hon Michael J Brown - Author
11. 16-Jul-2024 FILED: Email Notice from ASC re: Petition for Review filed 07/12/24; request for partial record
12. 17-Jul-2024 FILED: Letter forwarding partial record to Arizona Supreme Court
13. 18-Jul-2024 FILED: Affidavit-Letter to Judges; Motion to Vacate Dependency Adjudication and Remand to Family Court for Custody Determination (Petitioner)
14. 22-Jul-2024 FILED: Motion to Proceed with Collateral Order Appeal Despite Mootness of Underlying Case; Certificate of Service; Untitled - Case Change Letter; Order Declining Special Action Jurisdiction Letter (Petitioner Pro Per)
15. 24-Jul-2024 FILED: Motion for Leave to File Interlocutory Appeal; Certificate of Service (Petitioner Pro Per)
16. 24-Jul-2024 FILED: DCS's Notice of Appearance; DCS's Certificate of Service for Notice of Change of Counsel (Real Party in Interest)
17. 24-Jul-2024 ORDERED: Motion to Proceed with Collateral Order Appeal Despite Mootness of Underlying Case (Petitioner Pro Per) = TAKING NO ACTION. FURTHER ORDERED: Motion for Leave to File Interlocutory Appeal (Petitioner Pro Per) = TAKING NO ACTION. Hon Michael J Brown - Author
18. 25-Jul-2024 FILED: Motion to Leave to File Interlocutory Appeal (Duplicate); Certificate of Service (Petitioner Pro Per)
19. 25-Jul-2024 FILED: Motion to Leave to File Interlocutory Appeal (Duplicate); Certificate of Service (Petitioner Pro Per)
20. 6-Aug-2024 FILED: Letter dated 8/6/24 to Ashley Florian from Court re: enclosing check #114055 in the amount of \$140.00 for refund of monies submitted in error
21. 26-Aug-2024 FILED: Returned US Mail, Letter re: Refund enclosed related to the case noted below, dated 08/06/2024, addressed to Ashley Florian, Unknown (Resent 08/30/2024)
22. 29-Aug-2024 FILED: ASC Order denying Petition for Review
23. 30-Aug-2024 FILED: Letter dated 8/30/24 to Ashley Florian from Court re: enclosing check #114055 in the amount of \$140.00 for refund of monies submitted in error